

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

A.J. and Q.C.,

Plaintiffs,

v.

MASP, LLC,

Defendant.

CIVIL ACTION FILE NO.

1:23-CV-04247-JPB

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**DEFENDANT MASP, LLC’S BRIEF IN SUPPORT OF ITS MOTION TO  
FILE UNDER SEAL**

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COMES NOW, MASP, LLC (hereinafter “Defendant”), by and through the undersigned counsel, and, pursuant to Section II.J. of the Court’s Appendix H to the Local Rules, respectfully requests the Court seal the exhibits filed with its Brief in Support of its Motion for Summary Judgment and its Motion to Exclude Plaintiff’s Expert Witness, Anique Whitmore.

Pursuant to Section II.J. of the Court’s Appendix H to the Local Rules, when requesting to seal, the moving party shall bear the burden of establishing good cause for sealing, and the brief must: (i) identify, with specificity, the document(s) or portion(s) thereof for which sealing is requested; (ii) explain (for each document or group of documents) the reasons sealing is necessary; (iii) explain (for each document or group of documents) why less drastic alternatives than sealing will not

provide adequate protection; and (iv) address the factors governing sealing of documents reflected in controlling case law. See e.g., Romero v. Drummond Co., Inc., 480 F.3d 1234, 1245-48 (11th Cir. 2007).

The common law right of access to judicial proceedings is “not absolute” and “may be overcome by a showing of good cause.” Romero, 480 F.3d at 1245. “Good cause is established by the moving party when disclosure will cause the party to suffer a clearly defined and serious injury.” NXP B.V. v. Research in Motion, Ltd., No. 6:12-cv-498-Orl-22TBS, 2013 U.S. Dist. LEXIS 115576, at \*7 (M.D. Fla. Aug. 15, 2013). Here, good cause exists to seal the following documents: Exhibits to Defendant’s Brief In Support of its Motion for Summary Judgment, including Exhibit A – Excerpts of deposition of Alpesh Patel as 30(b)(6) Corporate Representative of MASP, LLC [Doc. 65-4], Exhibit B – Excerpts of MASP, LLC’s Interrogatory Responses [Doc. 65-5], Exhibit C – Excerpts of deposition of Q.C. [Doc. 65-6], Exhibit D – Excerpts of deposition of A.J. [Doc. 65-7], Exhibit E – Excerpts of A.J.’s Interrogatory Responses [Doc. 65-8], and Exhibit F – Excerpts from Investigative Summary regarding A.J. [Doc. 65-9], and Exhibit A to Defendant’s Motion to Exclude Plaintiff’s Expert Witness, Anique Whitmore, Anique Whitmore’s Report [Doc. 62-2]. These Exhibits should be sealed because they contain information of a highly intimate nature. Specifically, A.J. and Q.C. are sex trafficking victims and they have been proceeding in this litigation anonymously.

The documents referenced as Exhibits contain extremely personal details about not only Plaintiffs' trafficking, but other unfortunate events in their lives. Additionally, some of the documents contains identifying facts and circumstances that could erode the anonymity of Plaintiffs if made part of the public record. Here, this Court previously issued a Protective Order, acknowledging that "[d]iscovery in this action is likely to involve production of confidential...or private information for which special protection from public disclosure...may be warranted." (See [Doc. 32]). This Court also previously issued an Order permitting Plaintiffs' to proceed anonymously in this litigation finding that "Plaintiffs' privacy and safety interests outweigh the public's interest in knowing the identify of Plaintiffs." (See [Doc. 07]). Here, Defendant asks this Court to come to the conclusion that this protection is warranted and allow these Exhibits to be filed under seal in order to prevent the disclosure of information of "utmost intimacy" to the Plaintiffs. Plaintiff B. v. Francis, 631 F.3d 1310, 1316 (11<sup>th</sup> Cir. 2011).

The filing of these Exhibits under seal is the least onerous alternative because Defendant was required to file these documents in order to support its Motion for Summary Judgment and its Motion to Exclude Plaintiff's Expert Witness, Anique Whitmore, and doing so without this Court's protection would reveal highly personal and intimate information about Plaintiffs to the public.

For the foregoing reasons, Defendant respectfully requests that the Court grant its Motion to File Under Seal and enter the Order attached thereto, ordering these Exhibits, filed with the Court as Docs. 62-2, 65-4, 65-5, 65-6, 65-7, 65-8, 65-9, to be maintained under seal.

Respectfully submitted, this 15th day of October, 2024.

SWIFT, CURRIE, McGHEE & HIERS

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**CERTIFICATE OF COMPLIANCE**

Counsel hereby certifies that this document has been prepared with one of the font and point selections approved by the Court pursuant to L.R. 5.1(C) of the Northern District of Georgia, specifically, 14 point, Times New Roman font.

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**CERTIFICATE OF SERVICE**

This are to certify that on the 15th day of October, 2024, I have caused to be served upon counsel for all parties a true and correct copy of the foregoing **DEFENDANT MASP, LLC's BRIEF IN SUPPORT OF ITS MOTION TO FILE UNDER SEAL** by filing same through use of the Court's online filing system, the CM/ECF system for the United States District Court for the Northern District of Georgia, which will serve all counsel of record.

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